

The opinion in support of the decision being
entered today is not binding precedent of the Board.

Paper 17

Filed by: Interference Trial Section
Motions Panel
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May 7, 2002

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

ROBIN SCOTT

Junior Party,
(Application 29/088,643),

v.

WILLIAM R. DAWS and KAZUNOBU NAKAMURA

Senior Party
(Application 29/083,820).

Patent Interference No. 104,721

FAXED

MAY - 8 2002

PAT. & T.M. OFFICE
BOARD OF PATENT APPEALS
AND INTERFERENCES

Before: SCHAFER, LEE and TIERNEY, Administrative Patent Judges.

SCHAFER, Administrative Patent Judge

JUDGMENT PURSUANT TO 37 CFR § 1.662

A decision on motion (Paper 13) granted the parties' joint motion to change the inventorship of the subject matter of involved Design Application 29/083,820 from WILLIAM R. DAWS and KAZUNOBU NAKAMURA to ROBIN SCOTT, WILLIAM R. DAWS and KAZUNOBU NAKAMURA. Junior party Scott has filed a paper (Paper 16) expressly abandoning involved

Application, 29/088,643. Pursuant to 37 CFR § 1.662(a), the abandonment of an involved application is treated as a request for entry of an adverse judgment. Accordingly, it is

ORDERED that judgment on priority as to the subject matter of Count 1 (Paper 1, p. 5), is awarded against the junior party Robin Scott;

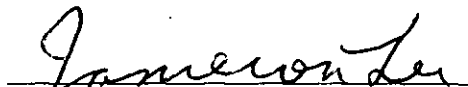
FURTHER ORDERED that ROBIN SCOTT, WILLIAM R. DAWS and KAZUNOBU NAKAMURA are entitled to a patent containing the sole claim (corresponding to Count 1) of Design Application 29/083,820 (subject to any further ex parte examination);

FURTHER ORDERED that a copy of this judgment be made of record in Application 29/083,820 and in Application 29/088,643; and

FURTHER ORDERED that if there is a settlement agreement which has not been filed, attention is directed to 35 U.S.C. § 135(c) and 37 CFR § 1.661.



RICHARD E. SCHAFER
Administrative Patent Judge



JAMESON LEE
Administrative Patent Judge



MICHAEL P. TIERNEY
Administrative Patent Judge

BOARD OF PATENT
APPEALS AND
INTERFERENCES

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